

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

STADIUM CAPITAL LLC, on behalf of  
itself and all others similarly situated,

Plaintiff,

v.

CO-DIAGNOSTICS, INC., DWIGHT H.  
EGAN, and BRIAN L. BROWN,

Defendants.

Case No.: 22-cv-6978-AS

CLASS ACTION

JURY TRIAL DEMANDED

**~~PROPOSED~~ ORDER GRANTING LEAD PLAINTIFF'S MOTION TO CERTIFY THE  
CLASS, APPOINT CLASS REPRESENTATIVE, AND APPOINT CLASS COUNSEL**

Upon consideration of Plaintiff's Motion for Class Certification (the "Motion"), the responses thereto\*, and for good cause known to the Court,

1. Plaintiff's Motion is GRANTED. The Court finds that the Class certified herein respectively satisfies the requirements of Rules 23(a) and (b)(3), in that: (a) the members of the Class are so numerous that joinder of all members thereof is impracticable; (b) there are questions of law or fact common to the Class; (c) the claims of the Class Representative are typical of the claims of the other members of the Class; (d) the Class Representative will fairly and adequately represent the interests of the Class; (e) the questions of law or fact common to the Class predominate over any questions affecting only individual members of the Class; and (f) a class action is superior to other available methods for the fair and efficient adjudication of the controversy.

2. Accordingly, pursuant to Rules 23(a) and (b)(3) of the Federal Rules of Civil Procedure, the action is certified to proceed as a class action, on behalf of the following class ("Class"):

All persons and entities who purchased the publicly traded securities of Co-Dx<sup>1</sup> during the period May 12, 2022, through the close of the market on August 11, 2022 (4:00 p.m. ET), inclusive (the "Class Period"), and were damaged thereby. Excluded from the Class are: Co-Diagnostics, Inc., Dwight H. Egan, and Brian L. Brown ("Defendants") and Defendants' immediate family members, any person, firm, trust, corporation, officer, director or other individual or entity in which any Defendant has a controlling interest or which is related to or affiliated with any Defendant, and the legal representatives, agents, affiliates, heirs, successors-in-interest, or assigns of any such excluded party.

3. Lead Plaintiff, Stadium Capital LLC, satisfies the requirements of Rule 23(a) and is appointed as Class Representative.

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<sup>1</sup> The Class includes investors that purchased or otherwise acquired Co-Dx common stock or call options, or sold Co-Dx put options.

\* Defendants do not oppose plaintiffs' motion. Dkt. 69.

4. Lead Counsel, Kaplan Fox & Kilsheimer LLP, is appointed as Class Counsel for the Class.

The Clerk of Court is respectfully directed to terminate Dkt. 56.

IT IS SO ORDERED.

DATED: November 12, 2024



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THE HONORABLE ARUN SUBRAMANIAN  
UNITED STATES DISTRICT JUDGE